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Atty. Dkt. No. 037267-0142

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Yoshiki WAKIZAKA  
Title: CELLULAR SYSTEM AND METHOD OF MAKING  
COMMUNICATION IN MULTI-CODE CDMA  
Appl. No.: 10/031,344  
Filing Date: 01/18/2002  
Examiner: Unknown  
Art Unit: 2661

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits, and within three (3) months of the mailing date of the foreign search report.

**RELEVANCE OF EACH DOCUMENT**

All of the documents are in English.

Applicant respectfully requests that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date: October 6, 2005

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Substitute for form 1449B/PTO

### INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Date Submitted: October 6, 2005

*(use as many sheets as necessary)*

**Complete if Known**

|                               |                   |
|-------------------------------|-------------------|
| <b>Application Number</b>     | 10/031,344        |
| <b>Filing Date</b>            | 01/18/2002        |
| <b>First Named Inventor</b>   | Yoshiaki WAKIZAKA |
| <b>Group Art Unit</b>         | 2661              |
| <b>Examiner Name</b>          | Unknown           |
| <b>Attorney Docket Number</b> | 037267-0142       |

|       |   |    |   |
|-------|---|----|---|
| Sheet | 1 | of | 1 |
|-------|---|----|---|

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

[illegible]

## NON PATENT LITERATURE DOCUMENTS

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

Standard ST.16. For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.  
 5. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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